

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Edward D. Fagan, :  
Plaintiff : 07-cv-10293 (UA)  
:  
- v - :  
:  
James F. Lowy et al :  
Defendants :  
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===== NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FRCP 41 (a) (1) =====

Plaintiff Edward D. Fagan, in accordance with the provisions of FRCP 41 (a) (1) and prior to Defendants' filing and/or serving of an answer, motion for summary judgment or other responsive pleading, hereby voluntarily dismisses the above action, without prejudice, against all defendants.

Dated: 25 January 2008  
New York, NY



Edward D. Fagan  
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Plaintiff

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I caused the foregoing

**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FRCP 41 (a)**

to be electronically filed with the Clerk of the Court and served upon counsel of record.

Dated: 25 January 2008  
New York, NY

  
/s/ Edward D. Fagan (electronically signed)  
Edward D. Fagan, Esq.